

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS DAVID BORREGO,

Defendant.

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8:09CR157

**ORDER**

This matter is before the court on Defendant's Motion for Hearing Concerning Present Custody [17]. The motion is denied. The defendant's motion does not overcome the rebuttable presumption of detention in 18 U.S.C. § 3142(e). Additionally, the defendant's motion contains no additional evidence or information that would cause the court to reconsider. This is particularly true given the defendant's two prior felony drug convictions and his two prior failures to appear.

**IT IS ORDERED:**

1. The Defendant's Motion for Hearing Concerning Present Custody [17] is denied without hearing.

Dated this 18<sup>th</sup> day of June 2009.

BY THE COURT:

S/ F.A. Gossett  
United States Magistrate Judge